

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/781,198	LORTSCHER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Igor Borissov	36 39	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Final filed on 1/28/2005.
2. ☒ The allowed claim(s) is/are 1-8,10-19,21-28,30-37,39,40,42-63,65-71,73-79,81-87,89-98,102-113 and 118.
3. ☒ The drawings filed on 13 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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**JOHN G. WEISS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**

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***Response to Amendment***

Amendment received on 8/13/2004 is acknowledged and entered. Claims 9, 20, 29, 38, 41, 64, 72, 80, 88, 99-100 and 114-117 have been canceled. Claims 1, 8, 14, 19, 23, 28, 32, 37, 42, 43, 44, 89-98 and 101-103 have been amended. Claims 1-8, 10-19, 21-28, 30-37, 39, 40, 42-63, 65-71, 73-79, 81-87, 89-98, 102-113 and 118 are currently pending in the application.

Claim Rejections under 35 USC § 101 and 35 USC § 103 have been withdrawn due to the applicant's amendment.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative John Mulcahy (Reg. No.: 55940) on Friday, March 18, 2005.

The application has been amended as follows:

**IN THE CLAIMS**

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1. (Fifth time Amended). A system for managing user personal information for access by subscribers, comprising:

at least one database containing: (1) personal information provided by at least one user in response to an incentive offered to at least one potential user to contribute the personal information to the database; and (2) user access preferences describing an extent to which subscribers may access each respective user's personal information;

at least one administrative agent for establishing access by subscribers to the personal information contained in the database based on the user access preferences expressed by each user contributing personal information to the database; and

at least one licensing agent for setting at least one licensing fee schedule for each user contributing the personal information to the database, in response to the incentive based on a set of licensing rules, wherein the licensing fee schedule reflects licensing fees paid to the contributing users and wherein the licensing fee schedule is a declining fee schedule such that a licensing fee paid to a user declines until at least one of: (a) the user's personal information has been updated, or (b) the user's personal information has been verified, and

a computer processor for performing the functions of at least one of the at least one administrative agent or the at least one licensing agent.

23. (Fifth time Amended) A computer-readable medium containing program instructions for execution by a computer, which, when executed by the computer cause the computer to implement corresponding to a method for sharing consumer information between users and subscribers, comprising:

offering an incentive to potential users to induce the potential users to contribute consumer information for a database of consumer information;

creating the database of consumer information related to consumer information from a plurality of users who contributed consumer information in response to the incentive;

receiving access preferences from the plurality of users contributing personal information in response to the incentive, wherein the access preferences describe an extent to which subscribers may access each respective user's personal information;

establishing access by subscribers to the consumer information contained in the database based on the access preferences of each of the plurality of users;

setting a licensing fee schedule for each of the plurality of users based on a set of licensing rules, wherein the licensing fee schedule is a declining fee schedule such that a licensing fee paid to a user declines until at least one of: (a) the user's consumer information has been updated, or (b) the user's consumer information has been verified; and

paying each of the plurality of users based on the set of licensing rules and a set of payment rules.

92. (Third time Amended) A system for sharing consumer information between users and subscribers, comprising:

at least one database containing: (1) consumer information provided by at least one user in response to an incentive offered to at least one potential user to contribute the consumer information to the database; and (2) user access preferences describing an extent to which subscribers may access each respective user's consumer information;

at least one administrative agent for establishing access by subscribers to the consumer information contained in the database based on the user access preferences expressed by each user contributing consumer information to the database;

at least one licensing agent for setting at least one licensing fee schedule for each user contributing the consumer information to the database, in response to the incentive based on a set of licensing rules, wherein the licensing fee schedule reflects licensing fees paid to the contributing users; and

at least one payment agent for paying each of the users based on the licensing fee schedule and a set of payment rules, wherein the licensing fee schedule is

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a declining fee schedule such that a licensing fee paid to a user declines until at least one of: (a) the user's consumer information has been updated, or (b) the user's consumer information has been verified, and

a computer processor for performing the functions of at least one of the at least one administrative agent or the at least one licensing agent.

95. (Twice Amended) A system for managing user personal information for access by subscribers, comprising:

at least one database containing: (1) personal information provided by at least one user in response to an incentive offered to at least one potential user to contribute the personal information to the database; and (2) user access preferences describing an extent to which subscribers may access each respective user's personal information;

at least one administrative agent for establishing access by subscribers to the personal information contained in the database based on the user access preferences expressed by each user contributing personal information to the database; and

at least one licensing agent for setting at least one licensing fee schedule for each user contributing the personal information to the database, in response to the incentive based on a set of licensing rules, wherein the licensing fee schedule reflects licensing fees paid to the contributing users, and wherein the licensing fee schedule is a declining fee schedule such that a licensing fee paid to a user declines until at least at least one of: (a) the user's personal information has been updated, or (b) the user's personal information has been verified; and

a computer processor for performing the functions of at least one of the at least one administrative agent or the at least one licensing agent;

wherein at least one user's response includes authorization to access information about the at least one potential user from a third party source of user information.

97. (Twice Amended) A computer-readable medium containing program instructions for execution by a computer, which, when executed by the computer cause the computer to implement ~~corresponding to~~ a method for sharing consumer information between users and subscribers, comprising:

offering an incentive to potential users to induce the potential users to contribute consumer information for a database of consumer information;

creating the database of consumer information related to consumer information from a plurality of users who contributed consumer information in response to the incentive;

receiving access preferences from the plurality of users contributing personal information in response to the incentive, wherein the access preferences describe an extent to which subscribers may access each respective user's personal information, and wherein at least one of the potential users' response includes authorization to access information about the at least one of the potential users from a third party source of user information;

establishing access by subscribers to the consumer information contained in the database based on the access preferences of each of the plurality of users;

setting a licensing fee schedule for each of the plurality of users based on a set of licensing rules, wherein the licensing fee schedule is a declining fee schedule such that a licensing fee paid to a user declines until at least at least one of: (a) the user's consumer information has been updated, or (b) the user's consumer information has been verified; and

paying each of the plurality of users based on the set of licensing rules and a set of payment rules.

101. (cancelled).

102. (Twice Amended) The method of claim [[101]] 42, wherein the licensing fee paid to a user is reset when the user updates the consumer information.

103. (Twice Amended) The method of claim [[101]] 42, wherein the licensing fee paid to a user is reset when the user verifies the consumer information.

**Allowable Subject Matter**

Claims 1-8, 10-19, 21-28, 30-37, 39, 40, 42-63, 65-71, 73-79, 81-87, 89-98, 102-113 and 118 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 1, 14, 23, 32, 42, 43, 89, 92 and 95-98, the best prior art, O'Neil et al. (US 5,987,440) in view of Goldhaber et al. (US 5,855,008) and further in view of Stefik et al. (US 6,236,971) teach a method, system and a computer-readable medium having instructions for execution by a computer said method, including: offering to customers an incentive in exchange for providing customer personal information; creating a database of consumer information; receiving, from the customers, access preferences information, said information including rules determining who gets access to each item of information; providing access to subscribers to said database of consumer information; establishing a fee schedule based on rules for paying each individual for using his/her information based on said fee schedule; wherein the fee schedule is a declining fee schedule.

However, O'Neil et al. in view of Goldhaber et al. and further in view of Stefik et al. do not teach that said declining fee schedule is reset when at least one of: (a) the user updates their consumer information, or (b) the user verifies their consumer information.

The best NPL prior art, Thomas M. A, while teaching voluntarily submission personal information by customers for targeted advertising, fails to disclose establishing access preferences information, and a fee schedule based on rules for paying each



consumer for using his/her information based on said fee schedule; wherein the fee schedule is a declining fee schedule.

The best foreign art, Onishi (JP02002049739A) appears to disclose managing of consumer information database; however fails to disclose offering to customers an incentive in exchange for providing customer personal information; establishing access preferences information, and a fee schedule based on rules for paying each consumer for using consumer information based on said fee schedule; wherein the fee schedule is a declining fee schedule.

The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

### ***Conclusion***

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649 before April 13, 2005, and (571) 272-6801 after that date.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist before April 13, 2005, whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308-2702 before April 13, 2005, and (571) 272-6812 after that date.

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Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks***

***Washington D.C. 20231***

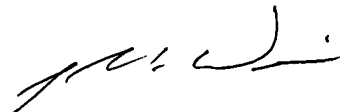
or faxed to:

**(703) 872-9306**

[Official communications; including After Final  
communications labeled "Box AF"]

IB

3/24/2005



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